

W. SCOTT HEMPHILL
517 Riblett Lane
Wilmington, DE 19808

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CLERK U.S. DISTRICT COURT
DISTRICT OF DELAWARE
FILED MAR 11 PM 2:18

LANCASTER COMPOSITE, INC.,) Case No.: No. 04-1414 *SLR*
Plaintiff,)
vs.)
HARDCORE COMPOSITES OPERATIONS, LLC ,)
and W. SCOTT HEMPHILL,)
Defendant)

RESPONSE TO CLAIMS

COUNT 1

Infringement of U.S. Patent No. 5,800,889

13. Denied. Lancaster Composite is not listed as either the inventor or the assignee of U.S Patent 5,800,889 ('889 patent).
14. Denied. Defendant W.Scott Hemphill has no knowledge that Hardcore Composites offered to sell a product described by the '889 patent.
15. Defendant W.Scott Hemphill has no knowledge that Hardcore Composites offered to sell a product described by the '889 patent.

16. Defendant W.Scott Hemphill has no knowledge that Hardcore Composites offered to sell a product described by the '889 patent.

17. Defendant W.Scott Hemphill has no knowledge that Hardcore Composites offered to sell a product described by the '889 patent.

18. Defendant W.Scott Hemphill has no knowledge that Hardcore Composites offered to sell a product described by the '889 patent.

19. Defendant W.Scott Hemphill has no knowledge that Hardcore Composites offered to sell a product described by the '889 patent.

20. Denied. The Hardcore Composites pile is not described by the '889 Patent.

21. Denied. Hardcore Composites has not infringed said patent.

22. Denied. Hardcore Composites has not infringed said patent.

23. Denied. Hemphill has not personally prepared each quote.

24. Denied. Hardcore Composites has not infringed said patent.

25. Denied. The Hardcore Composites pile is not described by the '889 Patent.

26. Denied. Hardcore Composites and Hemphill have not infringed said patent.

27. Denied. Hardcore Composites and Hemphill have not infringed said patent, therefore there is no basis for belief that there will be future infringement.

COUNT II

Infringement of U.S. Patent No. 6,048,594

28. Admitted.

29. Denied. Defendant W.Scott Hemphill has no knowledge that Hardcore Composites offered to sell a product described by the '594 patent.

30. Denied. Defendant W.Scott Hemphill has no knowledge that Hardcore Composites offered to sell a product described by the '594 patent.

31. Denied. Defendant W.Scott Hemphill has no knowledge that Hardcore Composites offered to sell a product described by the '594 patent.

32. Denied. Defendant W.Scott Hemphill has no knowledge that Hardcore Composites offered to sell a product described by the '594 patent.

33. Denied. Defendant W.Scott Hemphill has no knowledge that Hardcore Composites, offered to sell a product described by the '889 patent.

34. Denied. Defendant W.Scott Hemphill has no knowledge that Hardcore Composites, offered to sell a product described by the '889 patent.

35. Denied. The Hardcore Composites pile is not described by the '889 Patent.

36. Denied. Hardcore Composites has not infringed said patent.

37. Denied. Hardcore Composites has not infringed said patent.

38. Denied. Hemphill has not personally prepared each quote.

39. Denied. Hardcore Composites has not infringed said patent.

40. Denied. The Hardcore Composites pile is not described by the '889 Patent.

41. Denied. Hardcore Composites and Hemphill have not infringed said patent.

42. Denied. Hardcore Composites and Hemphill have not infringed said patent, therefore there is no basis for belief that there will be future infringement.

Prayer for relief

Wherefore W. Scott Hemphill demands the following relief with respect to this case.

- a. This court enter a judgement that Hemphill and Hardcore Composites have not infringed U.S. Patent # 5,800,889 and further that

Lancaster Composite plagerized and stole the technical knowledge contained in said patent and rule that Lancaster Composite committed fraud upon the U.S. Patent office and render the patent null and void;

- b. This court enter a judgement that Hemphill and Hardcore Composites have not infringed U.S. Patent # 6,048,594 and further that Lancaster Composite committed fraud upon the U. S. Patent office and render said patent null and void;
- c. That Lancaster Composite be required to pay for all damages suffered by Hemphill and Hardcore Composites as a result of the filing of this action
- d. That Hemphill and Hardcore Composites be granted such further relief which this court deems just and proper, together with any costs and disbursements of this action.

Dated this 10th day of March, 2005



W. SCOTT HEMPHILL
517 Riblett Lane
Wilmington, DE 19808

Certificate of Service

I, W. Scott Hempsill, hereby certify that on March 11, 2005, true and correct copies of the within Document were caused to be served on the Attorney of Record at the following Addresses:

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W. Scott Hempsill
